

**Army Regulation 415-19**

**Construction**

# **Nonappropriat ed-Funded Construction Project Development and Approval**

**Headquarters  
Department of the Army  
Washington, DC  
10 December 1999**

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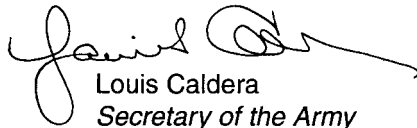
Headquarters  
Department of the Army  
Washington, DC  
10 December 1999

\*Army Regulation 415-9

Effective 10 January 2000

## Construction

### Nonappropriated-Funded Construction Project Development and Approval



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Secretary of the Army

**History.** This update printing publishes a revision to this publication. Because the publication has been extensively revised, the changed portions have not been highlighted.

**Summary.** This regulation prescribes policies and standards for the acquisition of facilities with other than appropriated funds (APF). It implements DODI 7700.18 and prescribes policy and guidance for reviewing and annual reporting of nonappropriated-funded construction projects (NAFCP). It clarifies responsibilities and procedures for developing and approving NAFCP. It provides instructions for preparing DOD commissary surcharge and NAF construction project data sheets and installation certifications. This regulation does not address funding policy or the approval necessary for morale, welfare, and recreation (MWR) facilities funded with APF.

**Applicability.** This regulation applies to the Active Army, U.S. Army Reserve (USAR), Army National Guard (ARNG), and tenants on Active Army installations.

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#### Proponent and exception authority.

The proponent for this regulation is the Assistant Chief of Staff for Installation Management (ACSIM). The proponent has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. Proponents may be delegate the approving authority, in writing, to a division chief under their supervision, in the grade of colonel or the civilian equivalent.

#### Army management control process.

This regulation contains management control provisions and identifies key management controls that must be evaluated per AR 11-2. (See app B.)

**Supplementation.** Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from Headquarters, Department of the Army (HQDA), Assistant Chief of Staff for Installation Management (DAIM-FD), 600 Pentagon, Washington, DC 20310-0600.

**Suggested improvements.** Users are invited to send comments and suggested improvements on Department of the Army Form 2028 (DA Form 2028) (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAIM-FD), 600 Army Pentagon, WASH DC 20310-0600.

**Distribution.** This publication is available in electronic media only and is intended for command levels C, D, and E for the Active Army USAR, and ARNG.

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\* This regulation supersedes AR 415-19 dated 29 June 1990.  
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# Summary of Change

AR 415-19

Nonappropriated-Funded Construction Project Development and Approval

This revision --

- Clarifies Army policy for the acquisition of facilities with other than appropriated funds (paras 1-1 and 2-5).
- Implements Department of Defense Instruction 7700.18 (DODI 7700.18) and prescribes policy and guidance for reviewing and annually reporting of Nonappropriated-funded construction projects (NAFCP) (paras 1-8 and 2-7).
- Clarifies policies and procedures for preparing a Determination and Certification of Actual Need Report (para 2-7).
- Revises responsibilities and procedures for developing and approving nonappropriated-funded construction projects (NAFCP) (paras 1-4 through 1-14 and para 2-5).
- Contains Department of Defense (DOD) commissary surcharge and nonappropriated fund (NAF) construction project installation certification (para 2-6).
- Provides instructions for preparing DOD commissary surcharge and NAF construction data sheets (para 2-6).
- Contains mandatory requirements for conducting the internal management control process and includes an Internal Control Review Checklist (appendix B).

## **Chapter 1 Introduction**

### **Section I General**

#### **1-1. Purpose**

This regulation prescribes Department of the Army (DA) policy, responsibilities, and procedures for developing and reporting construction projects acquired with other than APF, hereafter referred to as nonappropriated funds (NAF), which includes commissary store surcharge funds and private funds. The provisions encompass nonappropriated-funded construction project (NAFCP) that support morale, welfare, and recreation (MWR) activities (see AR 215-1) located on Army-owned or Army-controlled property.

#### **1-2. References**

Required and related publications are listed in appendix A.

#### **1-3. Explanation of abbreviations and terms**

Abbreviations and special terms used in this regulation are explained in the glossary.

#### **1-4. Responsibilities**

Responsibilities in section II below.

### **Section II Responsibilities**

#### **1-5. The Assistant Secretary of the Army (Financial Management and Comptroller)**

The Assistant Secretary of the Army (Financial Management and Comptroller) (ASA(FM&C)) will provide management and policy guidance for Army budgets as provided in AR 1-1.

#### **1-6. The Assistant Secretary of the Army (Installations and Environment)**

The Assistant Secretary of the Army (Installations and Environment (ASA (I&E))) will—

- a. Provide overall policy and program direction for Army construction programs.
- b. Review NAFCP prior to design release.

#### **1-7. The Assistant Secretary of the Army (Manpower and Reserve Affairs)**

The Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA(M&RA)) will review NAFCP prior to design release.

#### **1-8. The Deputy Chief of Staff for Logistics**

The Deputy Chief of Staff for Logistics (DCSLOG) will—

- a. Review, approve, and rank in priority Army commissary store surcharge funded construction projects.
- b. Chair the Subsistence Review Committee.

#### **1-9. The Assistant Chief of Staff for Installation Management**

- a. The Assistant Chief of Staff for Installation Management (ACSIM) will —
  - (1) Review and evaluate program submissions for compliance with Department of the Army (DA) policy and guidance in coordination with the HQDA facility proponent and Department of the Army Staff (ARSTAF) representatives.

- (2) Prepare and present NAF programs, in accordance with ASA(M&RA) and Assistant Secretary of the Army for Installation and Environment (ASA(I&E)), to the Office of the Secretary of Defense (OSD) and the Congress, as Army program manager.
  - (3) Ensure major Army commands (MACOMs) submit projects that comply with environmental laws and regulations.
  - (4) Provide authority to the U.S. Army Community and Family Support Center (USACFSC) and the Army and Air Force Exchange Service (AAFES) for design and construction of NAF projects after the ASA(I&E) approval.
  - (5) Coordinate NAFCP reports with DA staff. Submit the reports to the ASA(I&E), using the format prescribed by the Assistant Secretary of Defense for Personnel Support, Families and Education (PS,F&E) in DODI 7700.18.
  - (6) Present ARSTAF approved MWR and AAFES construction projects through the ASA(M&RA) to the ASA(I&E) for approval.
  - (7) Notify OSD of the Army's intent to test the commercial viability of a commercially financed facility.
  - (8) Notify OSD of the Army's intent to award commercially viable projects no less than two weeks prior to contract award.
- b. The Commander, USACFSC under the ACSIM will—
- (1) Serve as the NAF program manager for all MWR NAF major construction projects costing \$200,000 (excluding equipment and design fees) or more.
  - (2) Plan, program, review, manage, and budget for the entire MWR NAF program, in coordination with the installation and MACOM commanders.
  - (3) Assist the Commander, U.S. Army Corps of Engineers (USACE) in preparing functional design criteria for NAF facilities for use in developing standard definitive designs and design guides.
  - (4) Review and approve NAFCP documentation (DD Form 1391, Military Construction Project Data) (RCS: ENG-240) for projects costing \$500,000 (excluding equipment and design fees) or more. For projects estimated to cost more than \$200,000 but less than \$500,000, refer to annual NAF programming guidance and AR 215-1.
  - (5) Forward MWR NAF construction projects to the ACSIM (DAIM-FD) for submission to the Assistant Secretary of Defense (Personnel Support, Families and Education) (ASD)(PS,F&E)) for Congressional approval.
  - (6) Prepare the annual NAF construction report for USACFSC-sponsored projects and submit final report to Headquarters, U.S. Army Corps of Engineers (HQUSACE) (CEMP-MC) for inclusion to the annual NAFCP report to Congress. (See para 2-7.)
  - (7) Coordinate programming and preparation of documents for consolidated facilities, community activity centers, and other MWR facilities funded by APF, NAF, or a combination of APF and NAF with the program proponents of each funding source. (See para 2-1.)
  - (8) Develop five-year NAF major construction program in accordance with MACOMs and installations.

- (9) Serve as proponent for MWR commercially financed facilities, obtaining ASA(M&RA) approval through ACSIM and ASA(I&E), and facilitate the development of contractual agreements with qualified private entities.

#### **1-10. The Commander, U.S. Army Corps of Engineers**

The Commander, U.S. Corps of Engineers (USACE) will—

- a. Arrange for the use of real estate, prepare engineering instructions, and issue design and construction directives to USACE field operating activities (District engineers) for all NAF construction rendered by USACE, except AAFES and Defense Commissary Agency (DeCA) construction.
- b. Consolidate the annual NAFCP Congressional report.
- c. Ensure that physical security requirements are included in the annual NAFCP report, in accordance with AR 190-13.

#### **1-11. Commander, Army and Air Force Exchange Service**

The Commander, AAFES will—

- a. Serve as the NAF program manager for exchange facilities construction.
- b. Program, review, plan, manage, budget, administer, and design, in coordination with the installation and MACOM commanders, all exchange capital projects funded with monies generated from AAFES or private operations.
- c. Prepare functional design criteria for exchange facilities.
- d. Design and construct AAFES projects or commercially financed AAFES-sponsored projects in technical coordination with the installation and MACOM commanders.
- e. Award and administer facility design and construction projects for exchange facilities in technical coordination with the installation commander, including preparation of DD Form 1354 (Transfer and Acceptance of Military Real Property) for transfer of completed construction.
- f. Assist installation and MACOM commanders, as needed, in the completion of NAFCP MACOM siting approval justification and documentation.
- g. Draft NAFCP documentation (DD Forms 1391), in coordination with installation and MACOM commanders.
- h. Obtain installation and MACOM technical approval for each project estimated to cost \$500,000 (excluding equipment and design fees) or more.
- i. Develop a five-year and long-range NAF construction program using an AAFES-owned computer database. Coordinate with the installations and MACOM to ensure projects are incorporated into the installation master plan.
- j. Prepare the annual NAF construction report for AAFES-sponsored projects and submit final report to HQUSACE (CEMP-MC) for inclusion in the annual NAFCP report to Congress. (See para 2-7.)
- k. Supports AAFES construction programs before the Congressional committees.

#### **1-12. Director, Defense Commissary Agency**

The Director, Defense Commissary Agency (DeCA) responsibilities will include the following:

- a. Serves as the program manager for commissary facilities construction.



- b. Programs, reviews, plans, manages, budgets, administers, and designs, in coordination with the installation, all commissary capital projects funded with monies generated from the five-percent surcharge on commissary sales.
- c. Prepares functional design criteria for commissary facilities.
- d. Designs and constructs DeCA projects in technical coordination with installations, including preparation of DD Form 1354 for transfer of completed construction.
- e. Assists installation and MACOM commanders, as needed, in the completion of siting approval, justification, and documentation for DeCA projects.
- f. Prepares the annual construction report for DeCA-sponsored projects and submits directly to the Assistant Secretary of Defense (Personnel Support, Families, and Education (ASD(PS,F&E))) for inclusion in the annual consolidated NAFCP report to Congress.

### **1-13. Commanders of major Army commands**

The Commanders of major Army commands (MACOMs) will—

- a. Review DD Forms 1391 to ensure that proposed sitings are consistent with MACOM-approved installation master plans.
- b. Review DD Forms 1391 and designs of NAFCP, and verify functional requirements, accuracy of data, technical adequacy, and compatibility of project documentation. Ensure that project documentation conforms to stated needs, and complies with DA policy, criteria, program and budget guidance, and procedures, before prioritizing and submission to the appropriate NAF program manager.
- c. Conduct MACOM functional and operational reviews of all proposed NAFCP (except for exchanges and commissaries).
- d. Review installation requests for funding policy waivers and furnish written recommendations to USACFSC for approval.
- e. Approve NAFCP under \$500,000, except for exchange and commissary projects. Prior to construction award, MACOMs will submit proposed MWR NAF projects to ACSIM (USACFSC) to obtain ASA (I&E) construction release.
- f. Serve as NAF program manager for privately funded construction projects costing \$200,000 (excluding equipment and design fees) or more.
- g. Ensure that all required documentation (i.e., environmental studies, security statements, technical reviews, etc.) and coordination have been completed prior to submission of DD Forms 1391 to HQUSACE (CEMP-MC) via the 1391 Processor. (See para 2-7.)

### **1-14. Commander, U.S. Army Information Systems Engineering Command**

The Commander, U.S. Army Information Systems Engineering Command (USAISEC) will provide coordination and technical support to the sponsoring installation and MACOM commanders on all matters relating to information systems of NAFCP.

### **1-15. Commanders of installations**

The installation commanders will—

- a. Determine the need for NAFCP.
- b. Incorporate NAFCP into installation master plans.
- c. Prepare siting documentation for NAFCP.
- d. Prepare DD Forms 1391 in accordance with AR 415-15. Verify accuracy of construction project documentation in the 1391 Processor.

- e. Prepare the NAF construction project data sheets (para 2-6), if approved by the board of directors, for funding and submission through the MACOM and HQDA.
- f. Obtain signature of local Director of information Management (DOIM) activity commander for verification that all information systems requirements are fully identified and properly programmed. Include signature block of DOIM activity commander in the DD Form 1391.
- g. Obtain signature of installation provost marshal or security officer for coordination of the installation physical security plan. (See para 2-2c.)
- h. Submit NAFCP siting and justification documents to the MACOM commander for approval.
- i. Execute NAFCP under \$200,000 (except for exchange and commissary projects), in accordance with MACOM guidance.
- j. Coordinate preparation and documentation of required environmental analyses with the Army Environmental Office.
- k. Ensure NAFCP information systems cost estimates are complete, accurate, and timely.
- l. Assist DeCA in preparing DD Forms 1391 and DD Forms 1390 (FY\_\_ Military Construction Program) (RCS: ENG-240) for commissary projects and coordinate with MACOMs to obtain siting approval. This includes assisting DeCA in preparing DD Form 1391 programming documents, coordinating site approvals with MACOMs, and serving as the local proponent for the proposed construction in preparation and approval of required National Environmental Policy Act documentation for environmental assessment of the proposed construction activity.
- m. Forward request for commercially financed MWR facilities to the MACOM commander for review and approval.

## **Chapter 2**

### **Project Development**

#### **2-1. Limitations**

- a. NAF or private funds may be used with APF for construction when it can be clearly shown that the separate elements of the construction project are intended for different purposes and requires the combination of funding sources. The combination of funding sources is not to be used to increment the project or circumvent statutory limitations.
- b. Construction projects that combine funding sources must be submitted to the U.S. Army Center for Public Works (USACPW), ATTN: CECPW-EP, Alexandria, VA 22315-3862, for review and approval to combine funds if the total APF funded cost exceeds \$300,000 and the NAF funded cost exceeds \$200,000. Projects having an APF funded cost of \$300,000 or less and NAF funded cost of \$200,000 or less may be approved for combined funding by the MACOM. Separate and identifiable projects having different funding sources may be combined for contracting purposes without prior approval. However, the costs for each project must be clearly identifiable, and separate bids obtained under the single solicitation.

- c. APF and NAF may be combined in a single contract when facilities are collocated. Separate DD Forms 1391 will be prepared for APF and NAF components of conjunctively funded projects. Combined funding is required whenever a multipurpose, joint usage facility contains elements requiring a combination of APF for Military Construction, Army (MCA), NAF, or other types of funds. See AR 215-1 for detailed instructions for combined funding and AR 415-15 for DD Form 1391 requirements for conjunctively funded projects.
- d. All projects involving work on real property require approval prior to contract solicitation, by the installation commander or authorized representative (normally the Director of Public Works/Director of Engineering and Housing (DPW/DEH)). Real estate instruments will be issued in accordance with AR 405-80.

## **2-2. Project justification**

- a. Military Construction Project Data (DD Form 1391) forms for NAFCP are the primary basis for project design, review, and Congressional oversight. NAFCP justification documents will be prepared in the same manner as MCA projects. (See AR 415-15.) Additional justification requirements for NAF MWR projects are contained in AR 215-1.
- b. Installation commanders will normally prepare project justifications and other supporting documentation for NAFCP (except for AAFES and privately funded projects). AAFES will review requests for AAFES-funded construction per AR 60-31. USACFSC will examine requests for NAF construction for MWR facilities per AR 215-1. MACOM commanders will review requests for banking facilities per AR 210-135, and other privately funded construction projects.
- c. Installation commanders will prepare detailed project justification, special requirements, and supplemental data on DD Forms 1391, per AR 415-15 and guidance provided by the appropriate MACOM proponent or NAF program manager. To ensure the need for physical security measures has been evaluated during project development, all DD Forms 1391 must include a physical security statement signed by the installation provost marshal or security officer and retained in the project documentation file.
- d. DD Forms 1391 and supporting documentation will be prepared and maintained on the 1391 Processor, which is a Programming, Administration and Execution System (PAX) application. Information on the PAX system is available from HQUSACE (CEMP-MC), WASH DC 20314-1000. Information on 1391 Processor training is available from the U.S. Army Engineer Division, CEHND, P.O. Box 1600, Huntsville, Alabama 35807-4301. Equipment is available at the installation master planning office and the DPW/DEH, as well as the MACOM engineer office.
- e. Project documentation (DD Forms 1391) will first be prepared by the installation (except for AAFES and privately funded projects), then submitted electronically via the 1391 Processor to the MACOM, and finally submitted electronically to the appropriate NAF program manager for review.
- f. DeCA commissary project justification is developed by DeCA's Directorate of Facilities. DD Forms 1391 are prepared by DeCA and forwarded to the installation for coordination and inclusion of installation specific information and requirements. DeCA does not use the 1391 Processor or the PAX system. However, installations may prepare commissary project forms on the processor and submit in hard copy to DeCA provided all their requirements are met.

## **2-3. Project technical review**

### **a. General.**

- (1) All NAF projects (except exchanges and commissaries) costing over \$200,000 (excluding equipment and design fees) will be reviewed by the MACOM engineer for functional and operational adequacy prior to submission to the USACFSC.
- (2) NAF program managers will submit project justification documents (DD Forms 1391) to HQUSACE (CEMP-ES), WASH DC 20314-1000 by 15 April for preparation of budget submission.
- (3) All facilities proposed for construction with NAF will be reviewed by the ARSTAF.

### **b. Project siting procedures**

- (1) NAF construction projects, regardless of cost, require MACOM siting approval and must be incorporated in the installation master plan.
- (2) When an installation offers a site, it means it is no longer required for other mission related functions, and, therefore, all improvements and contaminants should be removed before it is released for other purposes. APF (.M0000 Account) will be used to fund demolition or removal of:
  - (a) Existing improvements down to six inches below ground.
  - (b) Site contamination (to include unexploded munitions) in accordance with federal, state, and local environmental laws in the United States, and, Status of Forces Agreements and host country environmental laws overseas.
- (3) NAF and commissary store surcharge funds will be used for:
  - (a) Relocation of utility main lines running through the site.
  - (b) Removal of identified and agreed upon improvements below six inches under ground level.
- (4) Access roads, curbing, parking lots, and utilities that contribute to overall installation development, in accordance with the installation master plan, will be funded with APF (.L0000 Account or MCA). Utilities will be sized to meet the needs of future projects. However, access roads, curbing, and utilities that serve only NAF or commissary store surcharge funded facilities will be funded from NAF or commissary store surcharge funds, respectively.

- c. Per the National Capital Planning Act of 1952, as amended, the Real Property Master Plan and proposed construction project designs in the National Capital Region must be submitted to the National Capital Planning Commission for appropriate reviews and approvals. Per Public Law 61-181 (PL 61-181), as amended; Executive Order (EO) 1259, 25 October 1910; and EO 1862, 28 November 1913, similar submissions must be made to the Commission of Fine Arts for comment and advice. Specific guidance for submissions to these organizations is contained in the Architectural Engineering Instruction (AEI) Design Criteria.
- d. The construction agent (for example, AAFES, DeCA, USACE, or DPW) is responsible for preparation of the DD Form 1354 to transfer completed construction to installation real property and fiscal accounting records.

#### **2-4. Construction cost**

- a. The cost of equipment built into a facility (installed equipment) is an integral part of the facility and is classified as construction cost. This cost will be reported on the DD Form 1391, as required by AR 415-15, and included in the primary facility costs.
- b. The cost of movable equipment, equipment that is not an affixed part of an existing facility will not be reported as a funded project cost. AR 415-15 provides special guidance on installed equipment in facilities. DD Form 1391 should include a description of any special requirements, such as utility connections and so forth.
- c. When construction, maintenance, and repair, are performed as an integrated undertaking, separate DD Forms 1391 will be prepared a each funding source. (See AR 415-15.) Any reliable source for valid costing, such as engineering estimates or accounting records, may be used to determine construction costs.

#### **2-5. Project approval procedures**

- a. *Funding policy.* Department of the Army policy regarding funding sources for construction of MWR facilities is contained in AR 215-1. Requests for exceptions will be prepared by the installation commander, submitted through the MACOM for endorsement (to include MACOM rationale), and sent through USACFSC for review and processing to the OSD.
- b. *Construction.*
  - (1) Approved projects estimated to cost less than \$200,000 that meet the requirements of AR 215-1 and AR 210-20, will not be placed under contract without the approval of the MACOM commander. MACOM commanders will not approve commissary construction without DeCA approval, or exchange construction without AAFES approval.
  - (2) For projects estimated to cost more than \$500,000 or more (excluding equipment and design fees) that experience a change in scope of 10 percent (up or down), or it is necessary to exceed the reported cost by 25 percent or more, the NAF program manager will submit a variance request to ACSIM for submission through ASA (M&RA) and ASA (I&E) to ASD (PS,F&E). The ASD (PS,F&E) will notify the House Armed Services Committee (HASC) and the Senate Armed Service Committee (SASC) of the reason for variance.
  - (3) For projects estimated to cost \$200,000 but less than \$500,000 (excluding equipment and design fees) that experience a cost increase where the new cost is estimated to be \$500,000, the NAF program manager will submit a variance request to ACSIM for submission through ASA (M&RA) to ASA (I&E).
  - (4) For projects estimated to cost less than \$200,000 (excluding equipment and design fees) that experience a cost increase where the new cost estimate is \$200,000 but less than \$500,000, the NAF program manager will submit a variance request to ACSIM for submission through ASA (M&RA) to ASA (I&E) for approval.
  - (5) No contract commitment may occur until 15 days after notification of the HASC and SASC and written notification is received from ASD (PS,F&E).
  - (6) Currency fluctuation will have no impact on reporting requirements for approval.

## **2-6. Project certification**

- a. The ASD (PS,F&E) requires documentation to ensure that a proposed facility is measured according to need. A commercial project validation assessment (PVA) will be conducted for NAFCP (other than AAFES projects) estimated to cost \$500,000 (excluding equipment and design fees). Installation commanders will prepare the DOD commissary surcharge and NAF construction project data sheets and installation certification and indicate that the project is supported by a PVA by signing a project certification in the DD Form 1391. For proposed exchange facilities, AAFES will prepare appropriate documentation. The purpose of this supporting documentation is to attest to the proper scope and need for the proposed project, and that it is based on facility usage, population size, anticipated patronage, community needs, and geographic characteristics.
- b. DOD commissary surcharge and NAF construction data sheet. The data sheet will contain the following information.
  - (1) Service (Army, Navy, Air Force).
  - (2) Name and location of the installation.
  - (3) Organization (AAFES, MWR Support Activity, etc.).
  - (4) Project title. (Except for new construction, the type of work such as "addition," "conversion," "alteration," or "modernization" will be used in the title.)
  - (5) MWR category.
  - (6) Project number.
  - (7) Project cost. (The cost in thousands of dollars, of the primary facility (to include fixed equipment and land acquisition), supporting facilities, contingency, and supervision, inspection and overhead, regardless of funding source.)
  - (8) Funding source(s). (Itemize the amount of each funding source supporting the project cost.)
  - (9) Economic analysis. (For all projects to identify the initial investment (the cost, in thousands of dollars, of the project plus equipment, architectural and engineering, supporting services), describe the economic analysis or rationale for the project, and discuss the operating projections. For revenue generating projects, identify the quantitative method(s) used to evaluate the return on the initial investment (such as, internal rate of return, net present value, payback), the decision criteria (for example, interest rate, useful life), and the present value results of the analysis.)
  - (10) Operational information. (Describe the operations, programs, or activities the facility will house, how the facility will be operated, the incremental NAF and APF expenses, incremental NAF and APF personnel, and whether the project updates, replaces, or creates a new program or service.)
  - (11) Prospective customers. (Describe who is expected to use the facility, the expected number of customers, the proximity of prospective customers, the reason why they are expected to use the facility, and when and how were they identified.)

- (12) Locale. (Describe why the specific location was selected, the adjacent community type facilities, whether other facilities are proposed that need separate funding or approval, how many similar facilities will continue to operate on the installation, the number and dollar amount of commissary or NAF projects under design, construction or proposed for the installation, and sensitivity or significant public interest in the project, and the number of military installations in the commuting area.)
  - (13) Alternatives. (Describe the alternative methods of delivering the service that were considered and the rationale for discarding them. Give the estimated useful life to the facility, whether the facility could easily be converted to other uses, whether the project qualifies for other funding, and the reason it is considered worth the investment.)
  - (14) Importance. (Discuss the priority the installation commander and the service give the project compared to all other identified needs. How do the patrons rate this type of project? What is the position of the service board of directors? Describe the market, program, or financial indicators that will be used to measure success.)
  - (15) Timing. (Give the project timeline— date design started, date design completed, projected date construction will start, if approved.)
- c. DOD commissary surcharge and NAF construction project installation certification. The certification will contain the following information:
- (1) Project location.
  - (2) Project title.
  - (3) Project number.
  - (4) Certification statement: "The undersigned accepts fiduciary responsibility for this project; certifying that the project complies with applicable policies and directives concerning:
    - (a) The project is based on actual need and not solely on authorized space criteria.
    - (b) All known requirements have been identified in the project and there is no incremental construction or "project splitting."
    - (c) Analysis of revenue generating facilities forecasts a positive return on investment of \_\_\_ percent and a payback in \_\_\_ years.
    - (d) The site selection is the most appropriate location.
    - (e) The work proposed is properly classified as either construction, maintenance, or repair.
    - (f) The correct funding source is used.
    - (g) Quality standards are reasonable for building systems, finishings, furnishings, and fixtures.
    - (h) Where the project combines more than one funding source, separate contracts will be awarded or if a single contract is awarded, separate accounting schedules are required.
    - (i) Project documentation identifies all maintenance, repair, and construction projects being done in conjunction with this project, regardless of funding source."

- (5) The certification will be signed and dated by the exchange general manager, MWR director, or commissary official and the installation commander.

## **2-7. The Nonappropriated-Funded Construction Projects Report (RCS DD-M(A)1167)**

- a. The Nonappropriated-Funded Construction Projects (NAFCP) Report (RCS DD-M(A)1167) —
  - (1) Demonstrates to the OSD and Congress that nonappropriated funds are being properly used.
  - (2) Provides uniform procedures for reviewing and reporting these projects.
  - (3) Serves as the primary document the HASC and the SASC uses to review the Army NAF construction program.
- b. Project reporting limitations are as follows:
  - (1) Only projects with construction costs over \$500,000 (excluding equipment and design fees) programmed for NAF construction award during the two years authorized, and construction funds have not been obligated, will be reported.
  - (2) Projects should be based on concept project design (35 percent design) completion to ensure the quality and accuracy of cost and scope, unless design-build or other innovations are being pursued.
  - (3) Projects for which construction award was not made during the period allowed (two years following the date of congressional release) must be included in subsequent NAFCP reports.
- c. The NAFCP report will be prepared by NAF program managers.
- d. NAF program managers will submit NAFCP reports by 15 April of the year preceding the fiscal year (FY) covered by the report (for example, 15 April 1996 for FY 97 annual report) to HQUSACE (CEMP-MC), WASH DC 20314-1000, for the 1 July NAFCP report to Congress. HQUSACE (CEMP-MC) will coordinate with NAF program managers to ensure that DD Form 1391 data are accurate and have been reviewed and approved by the ARSTAF and ACSIM (DAIM-FD). HQUSACE (CEMP-MC) will consolidate the reports submitted by NAF program managers and provide the final Congressional NAFCP report to the ACSIM. ACSIM will forward the NAFCP report through the ASA (M&RA) to the ASA (I&E) for submission through ASD (PS,F&E) to the HASC and the SASC.
- e. The annual NAFCP report is automated, except for the executive summary page. Data for preparing the report will be extracted from the 1391 Processor and other databases within the PAX system to create the NAFCP report in the required congressional format. The NAFCP report will consist of an executive summary page, indices, a summary-by-fund-source cover sheet, and DD Forms 1390 and 1391.
  - (1) Each NAF program manager will prepare an executive summary page for inclusion in the annual NAFCP report. The executive summary will present a broad overview of each manager's NAF program. The summary should highlight any special interest projects and identify any issues or problems that may significantly affect projects or program objectives.



- (2) The annual NAFCP report will contain three indices. The first index, "State List", will list project numbers by state, project titles, costs, and location data of projects within the report. The second index, "Installation Index", will provide location data for DD Forms 1390. The third index, "MACOM List", will provide project location data by MACOM.
- (3) A summary-by-fund-source page will be used as a cover sheet for all projects in the annual NAFCP report. It will summarize project cost totals by fund source.
- (4) DD Forms 1390 will be prepared by HQUSACE (CEMP-MC) using the 1390 Module in the PAX system. Installations will provide personnel strength, mission or major functions, and outstanding pollution and safety deficiencies data in the DD Form 1390. (See AR 415-15.)
- (5) DD Forms 1391 will be prepared for each NAF project in the 1391 Processor and submitted via the PAX system through appropriate channels to HQUSACE (CEMP-MP), in accordance with this regulation and AR 415-15. The congressional version of the DD Form 1391, FY \_\_ Military Construction Project Data contains four primary categories of information: project description, construction cost, project justification, and supplemental data. The forms are automatically grouped by fund source and each project within the group and are sorted by installation. Project descriptions are extracted from DD Form 1391 and contain a brief explanation of the proposed construction, including the scope of the project and a project justification statement. The congressional version of the DD Form 1391 will include design data. Instructions for data entry are provided in the 1391 Processor User's Manual, available from U.S. Army Engineer Division, CEHND, P.O. Box 1600, Huntsville, AL 35807-4301. For additional information for preparing DD Forms 1391 refer to AR 415-15.

## **2-8. Commercially financed facilities**

Requests for commercially financed facilities (CFF) may be submitted on an as needed basis. CFF requests will be forwarded to ASA (M&RA), through ACSIM and ASA (I&E). The ASA (M&RA) will notify OSD of the Army's intent to award commercially viable projects no less than two weeks prior to contract award. OSD will notify Congress at least two weeks prior to contract award. Notification to OSD and Congress will include the length of the contract, scope of work, type of business, appropriated funding or support to be provided during the contract (if required, but not anticipated), and returned to the NAF instrumentality. Contract award may proceed 15 working days after congressional notification provided neither the Congress nor OSD object to the reported terms and conditions, and OSD provides written notification to proceed.

## **Appendix A References**

### **Section I Required Publications**

#### **AR 60-31**

Equipment and Facilities. (Cited in para 2-2b.)

#### **AR 190-13**

Physical Security. (Cited in para 1-9c.)

#### **AR 210-20**

Master Planning for Army Installations. (Cited in para 2-5b.)

#### **AR 215-1**

Army Morale, Welfare and Recreation Activities and Nonappropriated-Funded Instrumentalities. (Cited in paras 1-1, 1-8b, 2-1c, 2-2a, 2-2b, 2-5a, and 2-5b.)

#### **AR 415-15**

Army Military Construction, Program Development and Execution. (Cited in paras 1-14e, 2-2a, 2-2c, 2-4a, 2-4b, and 2-7e.)

#### **DODI 7700.18**

Nonappropriated- and Privately-Funded Construction Projects—Review and Reporting Procedures. (Cited in para 1-8a.)

### **Section II Related Publications**

#### **AR 1-1**

Planning, Programming, Budgeting, and Execution System

#### **AR 11-2**

Management Control

#### **AR 210-135**

Banks and Credit Unions on Army Installations

#### **AR 405-80**

Management of Title and Granting use of Real Property

### **Section III Prescribed Forms**

This section contains no entries.

### **Section IV Referenced Forms**

#### **DD Form 1354**

Transfer and Acceptance of Military Real Property

#### **DD Form 1390**

FY\_\_Military Construction Program (RCS:ENG-240)

#### **DD Form 1391**

FY\_\_Military Construction Project Data (RCS:ENG-240)

## **Appendix B**

### **Management Control Evaluation Checklist**

#### **B-1. Function**

The function covered by this checklist is NAF construction project development and approval.

#### **B-2. Purpose**

The purpose of this checklist is to assist DPW/DEH and NAF administrators in evaluating the key management controls listed below. It is not intended to cover all controls.

#### **B-3. Instructions**

Answers must be based on the actual testing of key management controls (such as, document analysis, direct observation, sampling, and simulation). Answers which indicate deficiencies must be explained and corrective action indicated in supporting documentation. These management controls must be evaluated at least once every five years. Certification that this evaluation has been conducted must be accomplished on DA Form 11-2-R (Management Control Evaluation Certification Statement). A copy of DA Form 11-2-R is available on the Army Electronic Library CD-Rom (Emool) and on the USAPA Web ([www.usapa.army.mil](http://www.usapa.army.mil)).

#### **B-4. Test questions**

- a. Are proposed NAF construction projects checked against the installation master plan to assure inclusion? (installations)
- b. Have NAF construction projects estimated to cost less than \$500,000 been reviewed for technical compliance by the MACOM? (MACOM)
- c. Were alternatives to construction examined, evaluated, and rejected before requests for new or replacement facilities were submitted on the DD Form 1391 (including use of existing and available facilities owned by DA, DOD, other federal agencies, state and local governmental agencies, and commercial establishments)? (installations)
- d. Has statistical data on accommodations now in use been analyzed, validated, and included on the DD Form 1391? (installations)
- e. Were analyses of existing facility deficiencies based on quantitative data and the actual condition of the facility? (installations)
- f. Are sizes for proposed MWR facilities based on actual need as opposed to maximum space allowance contained in AEI Design Criteria? (installations)
- g. Was a DOD commissary surcharge and NAF construction data sheet prepared and an economic analysis showing all feasible alternatives included in the DD Form 1391? (installations and MACOMs)
- h. Was a DOD commissary surcharge and NAF construction data sheet prepared showing a return-on-investment analysis for each income-generating NAF project? (installations and MACOMs)
- i. Has the local DOIM activity commander verified and signed that all information systems requirements are fully identified and properly programmed? (installations)
- j. Has the need for physical security measures for each NAF project been evaluated and approved by the installation provost marshal or security officer? (installations and MACOM)
- k. Are separate DD Forms 1391 prepared for collocated projects that use a combination of APF and NAF in a single contract? (installations and MACOM)

- l.* Are construction projects that combine funding sources sent to the Director, USACPW for review and approval to combine funds if the total APF exceeds \$200,000? (MACOM)
- m.* Has the ACSIM NAFCP report to Congress been approved by the ASA(M&RA) and the ASA(I&E) prior to submission through ASD(PS,F&E) to the HASC and SASC? (ACSIM)
- n.* Has notification of approval been received from the HASC, SASC, ASD(PS,F&E), and ASA(I&E) prior to awarding NAF construction contracts in excess of \$500,000? (installations)
- o.* Are DD Forms 1354 prepared and executed by the construction agent for APF and NAF construction? (installations)

**B-5. Supersession**

This checklist replaces the checklist for construction activities, construction programming for development and approval of NAF construction projects previously published in DA Circular 11-86-3.

**B-6. Comments**

Help to make this a better tool for evaluating management controls. Submit comments to: Assistant Chief of Staff for Installation Management, ATTN: DAIM-FDF, 0600 Army Pentagon, Washington, DC 20310-0600.

## **Glossary**

### **Section I Abbreviations**

#### **AAFES**

Army and Air Force Exchange Service

#### **ACSIM**

Assistant Chief of Staff for Installation Management

#### **AEI**

Architectural Engineering Instruction

#### **APF**

appropriated funds

#### **ARNG**

Army National Guard

#### **ARSTAF**

Department of the Army Staff

#### **ASA(FM&C)**

Assistant Secretary of the Army (Financial Management and Comptroller)

#### **ASA(I&E)**

Assistant Secretary of the Army (Installations and Environment)

#### **ASA(M&RA)**

Assistant Secretary of the Army (Manpower and Reserve Affairs)

#### **ASD(PS,F&E)**

Assistant Secretary of Defense (Personnel Support, Families and Education)

#### **CFF**

commercially financed facilities

#### **DA**

Department of the Army

#### **DCSLOG**

Deputy Chief of Staff for Logistics

#### **DeCA**

Defense Commissary Agency

#### **DOD**

Department of Defense

#### **DODI**

Department of Defense Instruction

#### **DOIM**

Director of Information Management

#### **DPW/DEH**

Directorate of Public Works/Directorate of Engineering and Housing

**EO**

Executive Order

**FY**

fiscal year

**HASC**

House Armed Services Committee

**HQDA**

Headquarters, Department of the Army

**HQUSACE**

Headquarters, U.S. Army Corps of Engineers

**MACOM(s)**

major Army command(s)

**MCA**

Military Construction, Army

**MWR**

morale, welfare, and recreation

**NAF**

nonappropriated funds

**NAFCP**

Nonappropriated-funded construction projects

**OSD**

Office of the Secretary of Defense

**PAX**

Programming, Administration and Execution System

**PVA**

project validation assessment

**SASC**

Senate Armed Services Committee

**USACE**

U.S. Army Corps of Engineers

**USACFSC**

U.S. Army Community and Family Support Center

**USACPW**

U.S. Army Center for Public Works

**USAR**

U.S. Army Reserve

**USC**

United States Code

## **Section II**

### **Terms**

#### **Army installation**

An aggregation of contiguous or near contiguous, common mission supporting real property holdings under the jurisdiction of the DOD or a State, the District of Columbia, territory, commonwealth, or possession, controlled by and at which an Army unit or activity (active, U.S. Army Reserve, or Army National Guard) is permanently assigned.

#### **Commercially financed facilities**

A funding method used by the Army to construct facilities and obtain services, with the private sector providing the up-front financing, design, construction, and operation of the facility or some combination thereof. Unlike private funds, commercially financed facilities generate NAF funds and remain under the exclusive control of the Army.

#### **Construction**

- a. The erection, installation or assembly of a new facility.
- b. The acquisition, expansion, extension, alteration, conversion or replacement of an existing facility.
- c. The relocation of a facility from one installation to another.
- d. Installed equipment made a part of the facility, related site preparation, excavation, filling, landscaping or other land improvements.

#### **Construction activity**

The activity responsible for construction contract award or execution of the work by other means.

#### **Construction project**

A construction project is considered a single undertaking to produce a complete and usable facility or a complete and usable improvement to an existing facility. A construction project includes all construction work, land acquisition, supervision, inspection and overhead costs, and procurement and/or installation of specific types of built-in (installed) equipment necessary to make a facility complete and usable.

#### **Facility**

Any interest in land, structure, or complex of structures together with any supporting road and utility improvements necessary to support the functions of an Army activity or mission. A facility includes the occupiable space it contains. The class of facility is identified by a five digit construction category code. (Refer to AR 415-28.)

#### **Installation**

A fixed location, together with its land, buildings, structures, utilities, and improvements, that is under Department of the Army (DA) control and used by Army organizations. In U.S. Army, Europe and Seventh Army, the term community equates to installation for the purposes of this regulation.

#### **Installation commander**

Commanding officer of an installation. The commander of a military table of organization and equipment or table of distribution and allowance unit or activity who does not otherwise have responsibility for land, buildings, and fixed improvements is not an installation commander.

**Military Construction, Army (MCA)**

The program by which Army facilities are planned, programmed, designed, budgeted, constructed, and disposed of during peacetime and under mobilization conditions. The program also includes the acquisition of real estate and other supporting activities.

**Military construction project**

All military construction work, or any contribution authorized by this regulation, necessary to produce a complete and usable facility or a complete and usable improvement to an existing facility.

**Military installation**

Base, camp, post, station, yard, center, or other activity under the jurisdiction of the Secretary of a military department or, in the case of an activity in a foreign country, under the operational control of the Secretary of a military department or the Secretary of Defense. U.S. military facilities include buildings, structures, or other improvements to real property on a military installation to include bases, camps, posts, stations, yards, centers, or other activities under the jurisdiction of the Secretary of a military department or, in the case of an activity in a foreign country, under the operational control of the Secretary of a military department or the Secretary of Defense. (title 10, United States Code (10 USC 2801).

**Non-appropriated program manager**

The proponent or executive agent for the Army for the NAF or private fund construction program (e.g., Army and Air Force Exchange Service (AAFES), U.S. Army Community and Family Support Center (USACFSC), and Defense Commissary Agency (DeCA)). The major Army commands (MACOM) will serve as the NAF program manager for private funded construction projects. For the purposes of this regulation, the NAF program manager is the highest Army office responsible and is defined differently from the installation and MACOM NAF administrators.

**Nonappropriated Funds (NAF)**

Cash and assets other than appropriations by Congress. Nonappropriated funds are used for the collective benefit of those who generate them: military personnel, family members, and other authorized civilians.

**Private funds**

This term refers to the construction of facilities that are funded by a private group, organization, commercial enterprise or company, hereafter referred to as the private sector. The private sector uses its own resources to finance, design, construct, and operate facilities located on Army-owned or Army-controlled property. Private funded projects have included banks, museums, bus terminals, and monuments.



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